

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

KEVIN TERRANCE DAVIS

PLAINTIFF

v.

No. 4:08CV85-A-D

CHRISTOPHER EPPS, ET AL.

DEFENDANTS

**ORDER DENYING PLAINTIFF'S MOTION [116]
TO RECONSIDER THE COURT'S ORDER DENYING
THE PLAINTIFF'S REQUEST TO ALTER OR AMEND JUDGMENT**

This matter comes before the court on the plaintiff's motion [116] to reconsider the court's order denying the plaintiff's request to alter or amend judgment. The plaintiff sought reconsideration of the court's memorandum opinion and final judgment in this case granting the defendants' motion for summary judgment. The plaintiff claimed that, contrary to the court's findings, he mailed a response to the motion for summary judgment on January 10, 2010. The court denied the motion, noting that the deadline for response to the motion for summary judgment expired on December 1, 2009.

The plaintiff now claims that he mistakenly used the January 10, 2010, date, when he actually mailed a response on November 30, 2009. The plaintiff has not, however, in any of his post-judgment pleadings, provided the court with a copy of his response; nor has he set forth what arguments and proof he might present to overcome the defendant's dispositive motion. For these reasons, the plaintiff's motion [116] to reconsider is **DENIED**.

SO ORDERED, this the 15th day of March, 2010.

/s/ Sharion Aycock
U.S. DISTRICT JUDGE